



A GILLNETTER'S GUIDE TO THE SOUTHEAST U.S. RESTRICTED AND MONITORING AREAS

The National Marine Fisheries Service (NMFS) announces that regulations amending the Atlantic Large Whale Take Reduction Plan (ALWTRP) were published in the Federal Register on June 25, 2007, and on October 5, 2007. The ALWTRP's amended regulations prohibit gillnet fishing and possession within the Southeast U.S. Restricted Area during annual restricted periods that coincide with the right whale calving season from November 15 to April 15. In this guide, Section 1 briefly describes the ALWTRP regulations for the Southeast U.S. Restricted Area and Section 2 briefly describes the ALWTRP regulations for the Southeast U.S. Monitoring Area.

This document is intended as a guide to gillnet management measures in the Southeast U.S. Restricted and Monitoring Areas. This document is not the legal document detailing the regulations. Interested and affected parties can find existing regulations at 50 CFR 229.32. Additional regulations including: 1) those gear modifications effective on April 16, 2008, for the Mid/South Atlantic Gillnet Waters Area off South Carolina, and 2) other regulations, including gear modifications for specific gillnet fisheries effective during the next right whale calving season and a requirement for sinking and/or neutrally buoyant groundlines effective October 5, 2008, may be found at the Atlantic Large Whale Take Reduction Plan website www.nero.noaa.gov/whaletrp/.

SECTION 1: SOUTHEAST U.S. RESTRICTED AREA MEASURES

Southeast U.S. Restricted Area

The Southeast U.S. Restricted Area includes waters north of 27°51' N lat. (near Sebastian Inlet, FL) to 32°00' N lat. (near Georgia/South Carolina border) from shore eastward to 80°00' W long., and off South Carolina, within 35 nautical miles (nm) of shore (Figure 1). Little River Inlet, SC, is not located in the Southeast U.S. Restricted Area.

The Southeast U.S. Restricted Area is divided, at 29°00' N lat., into Southeast U.S. Restricted Area North (north of 29°00' N lat.) and Southeast U.S. Restricted Area South (south of 29°00' N lat.).

Annual Restricted Periods

- For Southeast U.S. Restricted Area North: November 15 through April 15.
- For Southeast U.S. Restricted Area South: December 1 through March 31.

Management Measures

- Possession of, or fishing with, gillnets is prohibited in the Southeast U.S. Restricted Area North during the Restricted Period (November 15 through April 15).¹
 - Vessels transiting through the Southeast U.S. Restricted Area North may possess gillnet if the following three conditions are met:
 - Nets are covered with canvas or other similar material and lashed or otherwise securely fastened to the deck, rail, or drum;
 - All buoys, high flyers, and anchors are disconnected from all gillnets; and
 - No fish are onboard.
- Gillnet fishing is prohibited in the Southeast U.S. Restricted Area South during the Restricted Period (December 1 through March 31).
 - Exemption for shark gillnet fishing. Fishing for sharks is exempt from Southeast U.S. Restricted Area South restrictions from December 1 through March 31 if:

- Gillnet is 5 inches or greater stretched mesh;
- The gillnet is deployed so that it encloses an area of water;
- A valid commercial directed shark limited access permit has been issued to the vessel and is on board;
- No net is set at night (any time between one half hour before sunset and one half hour after sunrise) or when visibility is less than 500 yards;
- The gillnet is removed from the water before night or immediately if visibility decreases below 500 yards;
- Each set is made under the observation of a spotter plane;
- No gillnet is set within 3 nm of a right, humpback, or fin whale; and
- The gillnet is removed immediately from the water if a right, humpback, or fin whale moves within 3 nm of the set gear.
- Vessel operator calls the Southeast Fisheries Science Center Panama City Laboratory (phone 850-234-6541, fax 850-235-3559) at least 48 hours prior to departure on fishing trips in order to arrange for observer coverage.
 - If Panama City Laboratory requests an observer be taken, gillnetting is not allowed unless an observer is on board the vessel during the fishing trip.
- Gear Marking Requirement
 - Gear is marked with a green marking (to indicate gillnet gear) and a blue marking (to indicate area);
 - Marks must be 4" long and the two color marks must be within 6" of each other;
 - If the color of the rope is the same as or similar to a color code, a white mark may be substituted for that color code. Marks may be dyed, painted, or marked with thin, colored whipping line, thin, colored plastic, or heat-shrink tubing, or other material; or a thin line may be woven into or through the line;
 - All buoy lines must be permanently marked within 2' of the top and midway along the length of the buoy line;
 - Each net panel must be marked along both the float line and the lead line at least once every 100 yards.
- Exemption for Spanish mackerel gillnet fishing.² Fishing with gillnet for Spanish mackerel is exempt from Southeast U.S. Restricted Area S restrictions from Dec. 1 through Dec. 31 and from March 1 through March 31 if:
 - Gillnet mesh size is between 3-½ inches and 4-7/8 inches stretched mesh;
 - A valid commercial vessel permit for Spanish mackerel has been issued to the vessel and is on board;
 - No person may fish with, set, place in the water, or have on board a vessel a gillnet with a float line longer than 800 yards;
 - The gillnet is removed from the water before night or immediately if visibility decreases below 500 yards;
 - No net is set within 3 nm of a right, humpback, or fin whale; and
 - The gillnet is removed immediately from the water if a right, humpback, or fin whale moves within 3 nm of the set gear.
 - No person may fish with, set, or place in the water more than one gillnet at any time;
 - No more than two gillnets, including any net in use, may be possessed at any one time; provided, however, that if two gillnets, including any net in use, are possessed at any one time, they must have stretched mesh sizes (as allowed under the regulations) that differ by at least ¼";
 - No net is soaked for more than 1 hour. The soak period begins when the first mesh is

placed in the water and ends either when the first mesh is retrieved back on board the vessel or the gathering of the gillnet is begun to facilitate retrieval on board the vessel, whichever occurs first; providing that, once the first mesh is retrieved or the gathering is begun, the retrieval is continuous until the gillnet is completely removed from the water;

- No net is set at night or when visibility is less than 500 yards;

SECTION 2: SOUTHEAST U.S. MONITORING AREA MEASURES

Southeast U.S. Monitoring Area

The Southeast U.S. Monitoring Area consists of the area from 27°51'N. lat. south to 26°46.5'N. lat. (near West Palm Beach, FL), extending from the shoreline or exemption line out to 80°00' W. long.

Annual Restricted Period

- December 1 through March 31

Management Measures

Fishing for shark with 5 inches or greater stretched mesh gillnet is prohibited in the Southeast U.S. Monitoring Area during the restricted period unless fishing vessels:

- Are compliant with the VMS requirements found in 50 CFR 635.69.
- Carry an observer if selected by NMFS.
- Gear must be marked according to the gear marking code specified in 229.32(b):
 - Gear is marked with a green marking (to indicate gillnet gear) and a blue marking (to indicate area);
 - Marks must be 4" long and the two color marks must be within 6" of each other;
 - If the color of the rope is the same as or similar to a color code, a white mark may be substituted for that color code. Marks may be dyed, painted, or marked with thin, colored whipping line, thin, colored plastic, or heat-shrink tubing, or other material; or a thin line may be woven into or through the line;
 - All buoy lines must be permanently marked within 2' of the top and midway along the length of the buoy line; and
 - Each net panel must be marked along both the float line and the lead line at least once every 100 yards.

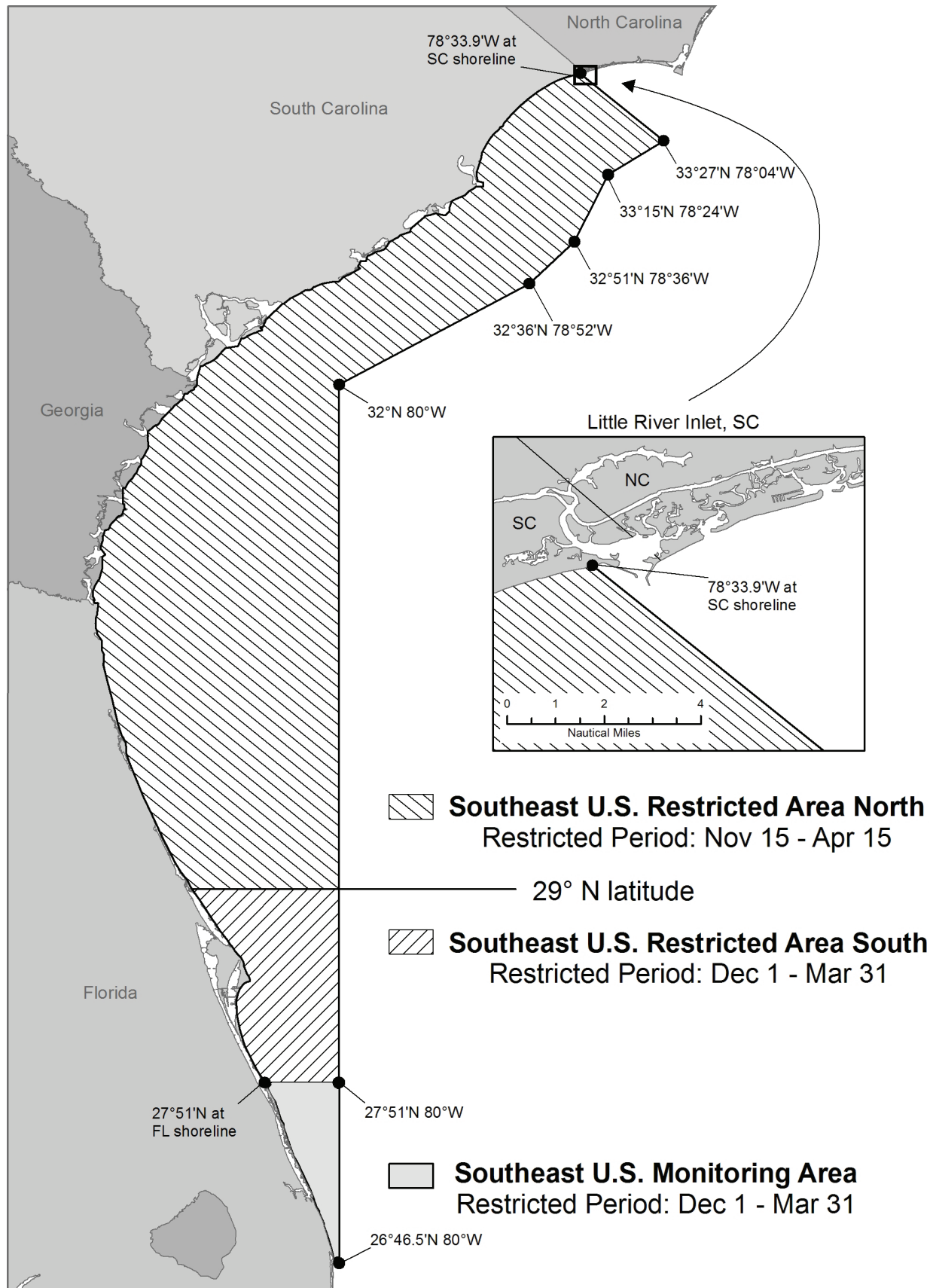


Figure 1. Southeast U.S. Restricted Area and Southeast U.S. Monitoring Area.